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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**EX PARTE MOTION FOR LEAVE  
TO FILE SCO'S OVER LENGTH  
REPLY MEMORANDUM IN  
FURTHER SUPPORT OF MOTION  
FOR SUMMARY JUDGMENT ON  
IBM'S SECOND, THIRD, FOURTH  
AND FIFTH COUNTERCLAIMS**

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

Plaintiff/Counterclaim-Defendant The SCO Group ("SCO") hereby moves the Court pursuant to District Court Rule 7-1(e) for an Order granting SCO leave to file its Over Length

Reply Memorandum in Support of Motion for Summary Judgment on IBM's Second, Third, Fourth and Fifth Counterclaims (the "Reply Memorandum") that consists of 20 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

SCO's Motion is made upon the grounds that the Reply Memorandum of the indicated length is necessary given the complex nature of the issues raised by the IBM's Opposition to the indicated Motion for Summary Judgment.

SCO has endeavored to be as concise as possible, but respectfully submits that the excess length is necessary to fully and fairly address the issues being placed before the Court.

SCO respectfully requests that it be allowed to file its Reply Memorandum containing 20 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED this the 12<sup>th</sup> day of January, 2007.

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By: /s/ Brent O. Hatch \_\_\_\_\_  
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